

handed, with no proposal for moving the negotiations forward. In so doing, he has catered to the forces working against progress. He has embarrassed the United States, and all who have supported a peaceful constructive resolution of the issues on the table regarding Israeli and the Palestinians. It is no wonder, given his track record on the negotiations since he became Prime Minister, that the administration has seen fit to require some assurance that another visit to Washington will produce something more than empty rhetoric and more stonewalling. I cannot support more strongly the position of Secretary Albright, that if the Israeli Prime Minister is unwilling to accept some moderate specific American proposals for progress on the West Bank that there is not much point in another fruitless trip to Washington, which might further inflame the situation in the Middle East.

As to the Israeli Palestinian problem, Mr. President, it has always taken three to tango. All parties, the United States, the Palestinians and the Israelis must want the negotiations to move forward, and it is only through compromise that success can be achieved. The United States has used its good offices to broker the negotiations and has burnished substantial financial resources to ensure the stability of Israeli on an unstinting basis. Any one of the parties can derail the negotiations and so it is a measure of the tremendous difficulty the United States has had with the Netanyahu government that the administration has felt it necessary to take specific steps to get the negotiations back on track.

Therefore, Mr. President, I commend the President for this initiative in the interests of getting the negotiations jump-started. I hope that cooler heads will prevail and that all Americans will see the wisdom of supporting a reasoned but decisive approach to the negotiating effort.

Mr. President, I yield the floor.

INTERNAL REVENUE SERVICE RESTRUCTURING AND REFORM ACT OF 1998

The Senate continued with the consideration of the bill.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 2376

(Purpose: To provide for the termination of employment of IRS employees for willful failure to file income tax return or threatening an audit for retaliatory purposes)

Mr. GRAMM. Mr. President, I have one final amendment. I am a little bit hesitant to consume further time so I shall be brief.

I remind my colleagues, we held hearings in the Finance Committee after we wrote the initial bill, and issues arose in those hearings that we want to address in this amendment. I understand that it has been approved by both sides of the aisle.

Basically, we have in the bill a list of offenses for which an employee of the Internal Revenue Service may be terminated. In light of concerns that have arisen since we had the bill before the committee, I want to add two offenses to the list.

One has to do with testimony we heard where members of the Internal Revenue Service were said to be threatening to audit people for personal gain. We heard an assertion that a police officer had stopped an IRS agent and was going to write him a ticket, and the IRS agent allegedly had told the officer that if he wrote the ticket, he was going to get audited.

The second provision has to do with a knowing and willful failure of an IRS agent to file a tax return or pay taxes or declare income. Both of these fit, I think, perfectly into the list of very strong offenses that we have in the bill.

I send the amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside. The clerk will report the amendment of the Senator from Texas.

The legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM] proposes an amendment numbered 2376.

Mr. GRAMM. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 253, line 13, strike "and".

On page 253, line 17, strike the end period and insert a comma.

On page 253, between lines 17 and 18, insert:
(8) willful failure to file any return of tax required under the Internal Revenue Code of 1986 on or before the date prescribed therefor (including any extensions), unless such failure is due to reasonable cause and not to willful neglect,

(9) willful understatement of Federal tax liability, unless such understatement is due to reasonable cause and not to willful neglect, and

(10) threatening to audit a taxpayer for the purpose of extracting personal gain or benefit.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, again, this amendment addresses a serious problem that came out during the hearings held by the Finance Committee last week.

It is an important change in the law. And I compliment the Senator for propounding it. At the appropriate moment I will urge its adoption.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, the National Restructuring Commission included this provision in our bill. It is in the House bill, or at least provisions in it that dictate that an employee who does a number of things would be automatically terminated.

What the Senator from Texas has done is identified some additional things that ought to be on the list and

once again has carefully drawn it—I believe the language is "willful" and—what was the other word, I ask the Senator? "Willful" and "intentionally."

This would not be a situation where an individual accidentally underpays taxes or misses a deadline or something like that. This is a much higher standard, a much more difficult standard. And I think it is a quite reasonable provision to add to the list of things that would force and require automatic termination.

In general, this legislation is attempting to change the culture by saying here are some things that, if you do it, there are going to be severe penalties. This is obviously a severe penalty. Punitive damages for damages, we have an expanded right for legal fees.

What we are trying to do is change the culture so that there is a new seriousness given to actions taken by the IRS. And all of us understand the penalty needs to be sufficient to meet the offense. I think the amendment of the distinguished Senator from Texas is a reasonable one and I urge its adoption.

Mr. GRAMM. I thank you.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to the amendment No. 2376.

The amendment (No. 2376) was agreed to.

Mr. GRAMM. I move to reconsider the vote.

Mr. KERREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I have two amendments that have already been discussed by the senior Senator from Idaho, Senator CRAIG. Both amendments have been cleared on both sides of the aisle.

AMENDMENT NO. 2377

(Purpose: To require disclosure to taxpayers concerning disclosure of their income tax return information to parties outside the Internal Revenue Service)

Mr. ROTH. The first amendment I will offer would require disclosure to taxpayers concerning disclosure of their income-tax return information to parties outside the Internal Revenue Service.

The PRESIDING OFFICER. Is the amendment at the desk?

Mr. ROTH. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment. And by unanimous consent, the pending amendment is set aside.

The legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH] for Mr. CRAIG, proposes an amendment numbered 2377.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Insert in the appropriate place in the bill the following:

SEC. . DISCLOSURE TO TAXPAYERS.

Section 6103(d) of the Internal Revenue Code of 1986 is amended by adding at the end thereof a new paragraph to read as follows:

"(6) DISCLOSURE TO TAXPAYERS.—The Secretary shall ensure that any instructions booklet accompanying a general tax return form (including forms 1040, 1040A, 1040EZ, and any similar or successor forms) shall include, in clear language, in conspicuous print, and in a conspicuous place near the front of the booklet, a concise description of the conditions under which return information may be disclosed to any party outside the Internal Revenue Service, including disclosure to any State or agency, body, or commission (or legal representative) thereof."

Mr. ROTH. As I indicated earlier, this amendment has been cleared on both sides of the aisle.

Mr. KERREY. Mr. President, it is a good amendment, and I urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, without objection, the amendment is adopted.

The amendment (No. 2377) was agreed to.

AMENDMENT NO. 2378

(Purpose: To limit the disclosure and use of federal tax return information to the States to purposes necessary to administer State income tax laws)

Mr. ROTH. Mr. President, the second amendment of Senator CRAIG would limit the disclosure and use of Federal tax return information to the States to purposes necessary to administer State income-tax laws.

I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment. By unanimous consent, the pending amendment is set aside.

The legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH] for Mr. CRAIG, proposes amendment numbered 2378.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 394, before line 16, add a new item (6) to read as follows:

"(6) the impact on taxpayer privacy of the sharing of income tax return information for purposes of enforcement of state and local tax laws other than income tax laws, and including the impact on the taxpayer privacy intended to be protected at the federal, state, and local levels under Public Law 105-35, the Taxpayer Browsing Protection Act of 1997."

Mr. ROTH. I further note that this amendment has been cleared on both sides of the aisle. It is a good amendment. I urge its adoption.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, this is a good amendment, and I also urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, without objection, the amendment is agreed to.

The amendment (No. 2378) was agreed to.

Mr. KERREY. I move to reconsider the vote.

Mr. ROTH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 2365 AND 2366, WITHDRAWN

Mr. ROTH. Mr. President, I ask unanimous consent to withdraw amendment No. 2365 and amendment No. 2366.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 2365 and 2366) were withdrawn.

Mr. LEAHY. Mr. President, I ask unanimous consent to be able to proceed for up to 4 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ARTHUR GIBB

Mr. LEAHY. Mr. President, I have come to the floor of the Senate many times to speak about my native State of Vermont and to say how very special it is. One of the reasons that it is so special is not only the people who are born there but some of the extraordinary people who come to Vermont and have made Vermont their home and have improved Vermont while there.

One person who we revere in Vermont is Arthur Gibb. Art Gibb served as a leader in the State legislature, one of the strongest voices in the Republican Party for environmental concerns in Vermont, and he is well respected by Republicans and Democrats alike for all he has given to the State.

Recently, Christopher Graff, chief of the Vermont Associated Press Bureau, wrote an article about Art Gibb as he turned 90. Mr. Graff says things about Art Gibb far better than I. But it is such a good profile of such a special Vermonter that I ask unanimous consent the article about my good friend, Art Gibb, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Apr. 12, 1998]

ART GIBB: A SPECIAL STATE LEADER, LAW MAKER

(By Christopher Graff)

Take a stroll through the Statehouse and peek at the portraits lining the walls. Governors, lieutenant governors, military leaders.

Among all the paintings in the Statehouse collection are just three portraits of legislators.

One is of Edna Beard of Orange, the first woman to serve in the House. She was also the first to serve in the Senate.

The second is of Reid LeFevre of Manchester, a House member starting in the 1940s who was the most colorful lawmaker of all times. LeFevre was chairman of the

House Ways and Means Committee and in his off time ran King Reid Shows, a traveling carnival that he once brought to the House chamber.

The third portrait is of Art Gibb, a legend in his own time.

Gibb's large portrait fills part of a wall off the House chamber. He is shown sitting outside and most of the painting is a wonderful, colorful landscape, with flowers, fields and mountains.

It is revealing that the portrait is more about Vermont's beauty than about Gibb.

The Weybridge Republican turns 90 this week, still bustling with energy and a passion for keeping Vermont special.

Gibb sits on the state Environmental Board, settling the sticky questions of who gets to build what where.

It is a fitting place for him. He fathered the pioneering state law that created the Environmental Board and the process of keeping development in check.

It is a great story, one that serves as a reminder of the special breed of leaders Vermont has enjoyed and the state's ability to meet head-on the problems that destroy others.

Gibb was elected to the House in 1962. He was serving on the tax-writing committee of the House when a vacancy opened in the chairmanship of the House Natural Resources Committee.

Gibb asked House Speaker Richard Mallary if he could have it—and Mallary agreed.

The outdoors enthusiast was placed in a critical role at a critical time.

A few years later newly elected Gov. Deane Davis realized southern Vermont was under siege from eager developers who cared solely about profit.

Davis turned to Gibb—the governor later described Gibb as "a man of great personal charm . . . (who) was well-known for his judicial and fair-minded temperament"—and asked him to lead a special commission to examine the problem. Out of the Gibb Commission came the framework for Act 250, passed in 1970 and still a vital part of Vermont.

Gibb says the issues that come to the board these days are ones no one imagined when Act 250 was drawn up, like snowmaking for ski areas and the siting of communications towers.

Gibb says he has seen and done a lot in his years, but of one thing he has never had any doubts. Act 250 has played a crucial role in saving what makes Vermont special.

"It leads to responsible development," he says. "When you think of the irresponsible development we had in 1969 . . . Thank God for Act 250."

As Art Gibb turns 90, we thank him for Act 250 and thank God for Art Gibb.

TRIBUTE TO JOHN ADAMS

Mr. LEAHY. Mr. President, many of the times I have spoken about Vermont, I have talked about the fact that in small cities and towns everybody knows everybody else. We are a State of neighbors, from the stores on the corner to the places of worship and our town squares.

Recently, the Burlington Free Press wrote an article about John Adams. He has spent 40 years fitting shoes and boots and footwear for the people of Burlington, VT, and its surrounding areas.

When they were writing this article, it brought back to my wife and myself the memories of going into that same